



State of Rhode Island and Providence Plantations
Department of State | Office of the Secretary of State
Nellie M. Gorbea, Secretary of State

Rules and Regulations Filing Form

1. Agency Name and Address

Children, Youth and Families, Department of
 101 Friendship Street

2. Title of Rule

Foster Care and Adoption Regulations for Licensure

3. Statutory Source of Authority

42-72-5

4. Concise Explanatory Statement - §42-35-2.6

The Foster and Adoption Regulations for Licensure are amended to align the fire safety requirements for foster and adoptive parents' homes with the requirements for private residences. The superseded regulations required that kinship, foster, and adoptive parents homes comply with fire and lead standards that are far more stringent than what is required for residents without a foster child placement. Home settings, like kinship and family foster care, are not institutional settings and should not be held to such standards.

5. Type of Filing

Emergency Rules

A1. Emergency 120-day initial - §42-35-2.10

- ☐ Adoption
☒ Amendment of ERLID: 7413
☐ Repeal of ERLID:

A2. Emergency 60-day renewal - §42-35-2.10

- ☐ Adoption
☐ Amendment
☐ Repeal

Indicate ERLID of 120-day initial:

Brief Statement of Reason for Finding Imminent Peril §42-35-2.10:

The superseded regulations prevented licensure for many families resulting in children remaining in unlicensed or more restrictive settings.

Agency Head Signature:

Governor/Governor's Designee Signature:

Date: _____

Date: _____

Final Rules

☐ B1. Amendment - §42-35-3(a)

☐ B2. Adoption - §42-35-3(a)

☐ B3. Repeal - §42-35-3(a)

☐ C. Technical Revision

☐ D. Direct Final Rule - §42-35-2.11

If B1 or C, please indicate new, amended, deleted, or revised sections:

6. Notice and Hearing Information

Date of Public Notice - §42-35-2.8: Notice Not Required

Date of Public Hearing - §42-35-2.8: Hearing Not Required

End of Comment Period - §42-35-2.8 :

7. Agency Additional Information - Web Page

<http://www.dcyf.ri.gov>

8. Certification

I hereby certify that the attached rules and regulations were adopted in accordance with the Administrative Procedures Act (42-35) and that they are true copies of this Department, attest,

 Name

 Notary Public

Title

Subscribed and sworn before me
this _____ day of _____, _____

ERLID#: 8386